

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE NEW ENGLAND COMPOUNDING)
PHARMACY, INC. PRODUCTS LIABILITY)
LITIGATION)
_____)

MDL No. 2419
Dkt. No 1:13-md-2419 (RWZ)

THIS DOCUMENT RELATES TO:)

Suits Naming the Tennessee Clinic)
Defendants)
_____)

NOTICE OF POSTPONEMENT OF DEPOSITION

Defendants Saint Thomas Outpatient Neurosurgical Center, LLC; Howell Allen Clinic, a Professional Corporation; John Culclasure, MD; Debra Schamberg, RN, CNOR; Vaughan Allen, MD; Specialty Surgery Center, Crossville, PLLC; Kenneth R. Lister, MD; Kenneth Lister, MD, PC; and Donald E. Jones, MD (collectively “Tennessee Clinic Defendants”) give notice to the Court and to all parties of the following:

1. On August 31, 2015, the Tennessee Clinic Defendants issued a subpoena to Cory Fletcher. The deposition was set for September 15, 2015.¹
2. On September 10, 2015, the subpoena was served by the Middlesex County Sheriff’s Department by leaving the subpoena at Mr. Fletcher’s last known address.
3. The Tennessee Clinic Defendants have been unable to confirm whether or not Mr. Fletcher actually received the subpoena.

¹ See Dkt. 2200.

4. Additionally, on September 4, 2015, the United States filed a motion for leave to intervene and for a stay of certain depositions.² The motion seeks to stay Mr. Fletcher's deposition (among others).

5. As a result, Mr. Fletcher's deposition is being postponed. The Tennessee Clinic Defendants will file an amended notice once the deposition is rescheduled.

Respectfully submitted,

GIDEON, COOPER & ESSARY, PLC

/s/ Chris J. Tardio

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***Attorneys for the Tennessee Clinic
Defendants***

* Admitted pursuant to MDL Order No. 1.

** Admitted *pro hac vice*.

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be served electronically to the registered participants identified on the Notice of Electronic Filing and copies will be e-mailed or mailed via regular U.S. mail to those participants identified as unregistered this 14th day of September, 2015.

/s/ Chris J. Tardio

Chris J. Tardio

² Dkt. 2209.